

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
S/S Magnolia Avenue, 783 ft. W * ZONING COMMISSIONER
of c/l of Rose Avenue
3321 Magnolia Avenue * OF BALTIMORE COUNTY
13th Election District
1st Councilmanic District * Case No. 95-400-A
Richard E. Parker, Jr.
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Richard E. Parker, Jr., for that property known as 3221 Magnolia Avenue in the English Consul Estates subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 400.2 of the Baltimore County Zoning Regulations (BCZR) to permit a garage to be located within 10 ft. of the centerline of an alley in lieu of the required 15 ft., as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date

By

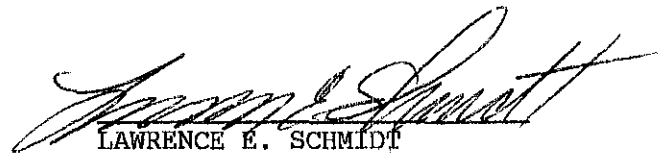
WICKED-11-11-0

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7TH day of June, 1995 that the Petition for a Zoning Variance from Section 400.2 of the Baltimore County Zoning Regulations (BCZR) to permit a garage to be located within 10 ft. of the centerline of an alley in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. There shall be no commercial work performed within the garage or on the subject property at any time.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

ORDER FOR ZONING
6/7/95
M. Gorb
Date
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 6, 1995

Mr. Richard E. Parker, Jr.
3221 Magnolia Avenue
Baltimore, Maryland 21227

RE: Petition for Administrative Zoning Variance
Case No. 95-400-A
Property: 3221 Magnolia Avenue

Dear Mr. Parker:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3221 MAGNOLIA AVE.
address
BALT. MD 21227
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. I HAVE MAINTAINED THE AREA IN DISPUTE FOR OVER 8 YEARS.
2. ACCORDING TO BUILDING REQUIREMENTS I WOULD HAVE TO LOCATE PROPOSED BUILDING 8' WITHIN MY PROPERTY. THIS WOULD CREATE A WASTE OF SPACE BEHIND PROPOSED BUILDING. BY MOVING PROPOSED BUILDING TO 3' FROM PROPERTY LINE I WOULD BE ABLE TO UTILIZE THE SPACE IN FRONT OF PROPOSED BUILDING.
3. THE EXISTING 14' ALLEY CAN'T BE ACCESSED FROM EITHER END BECAUSE OF PREVIOUS CONSTRUCTION.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard C. Parker Jr.
(signature)
RICHARD E. PARKER JR.
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: ANNE ARUNDEL

I HEREBY CERTIFY, this 27TH day of APRIL, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD E. PARKER JR.

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

27 APRIL 95
date

Karin A. Cimini
NOTARY PUBLIC

My Commission Expires:

KARIN A. CIMINI
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires August 11, 1997

MICROFILMED



Petition for Administrative Variance

75-400-A

to the Zoning Commissioner of Baltimore County

for the property located at 3221 MAGNOLIA AVE.

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.2; BC 22 TO PERMIT A GARAGE TO BE ^{LOCATED WITHIN} 10' FROM THE CENTERLINE OF AN ALLEY IN LIEU OF THE REQUIRED 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. SPACE BEHIND PROPOSED BUILDING WILL BE WASTED.
2. EXISTING ALLEY CAN'T BE ACCESSED FROM EITHER END.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

RICHARD E. PARKER JR.
(Type or Print Name)

Richard E. Parker Jr.
Signature

(Type or Print Name)

Richard E. Parker Jr.
Signature

3221 MAGNOLIA AVE
Address

WORK: (301) 688-6915

HOME: (410) 789-6005
Phone No

BALTO
City

MD
State

21227
Zipcode

Name, Address and phone number of representative to be contacted

SAME
Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 5-3-95

ESTIMATED POSTING DATE: 5-14-95



Printed with Soybean Ink
on Recycled Paper

ITEM #: 398

ZONING DESCRIPTION FOR 3221 MAGNOLIA AVE.

Beginning at a point on the south side of Magnolia Ave. which is 40' wide at the distance of 783' west of the centerline of the nearest improved intersecting street Rose Ave. which is 40' wide. Being lot * 798-800, Block , Section * A in the subdivision of English Consul Estates as recorded in Baltimore County Plat Book * 3, Folio * 108, containing 0.21 acres. Also known as 3221 Magnolia Ave. and located in the 13th Election District, 12th Councilmanic District.

398

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-400-17

District 13th Date of Posting 5/13/65

Posted for: Variance

Petitioner: Richard E. Parker, Jr.

Location of property: 3221 Magnolia Ave S/S

Location of Signs: Facing road way from property being zoned.

Remarks: _____

Posted by W. H. H. H. Date of return: 5/19/65

Signature

Number of Signs: 1

MICROFILMED





Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

398

receipt

95-400-A

Account: R-001-6150

Number JCM

Date 5-3-95

Richard Parker, Jr. 3221 Magnolia Ave.

Admin. Var	(010)	_____	50.00
Postive	(090)	_____	35.00
			<u>85.00</u>

W/2000-10-10

03A03#0030MTCRC
 BA 002#25PM05-03-95

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 398

Petitioner: Richard Parker, Jr.

Location: 3221 MARWOLIA AVE. BALD., MD. 21227

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____

ADDRESS: SAME

PHONE NUMBER: (410) 789-6005

AJ:ggs

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-400-A (Item 398)
3321 Magnolia Avenue
S/S Magnolia Avenue, 783' W of c/l Rose Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): Richard E. Parker, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 14, 1995. The closing date (May 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Richard E. Parker, Jr.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 25, 1995

Mr. Richard E. Parker, Jr.
3221 Magnolia Avenue
Baltimore, Maryland 21227

RE: Item No.: 398
Case No.: 95-400-A
Petitioner: R. E. Parker Jr.

Dear Mr. Parker Jr.:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 16, 1995

SUBJECT: 3221 Magnolia Avenue

INFORMATION:

Item Number: 398

Petitioner: Parker Property

Property Size: _____

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The applicants request a variance to permit a garage to be located within 10' of the centerline of an alley in lieu of the required 15'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long

Division Chief: Cathy L. Kern

PK/JL

To: Joyce Watson
ZAC Comm

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 5/16/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/15/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

393

394

395

396

398

399

400

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396,
397, 398, 399 AND 400.

RECEIVED

MAY 16 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-12-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 398 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

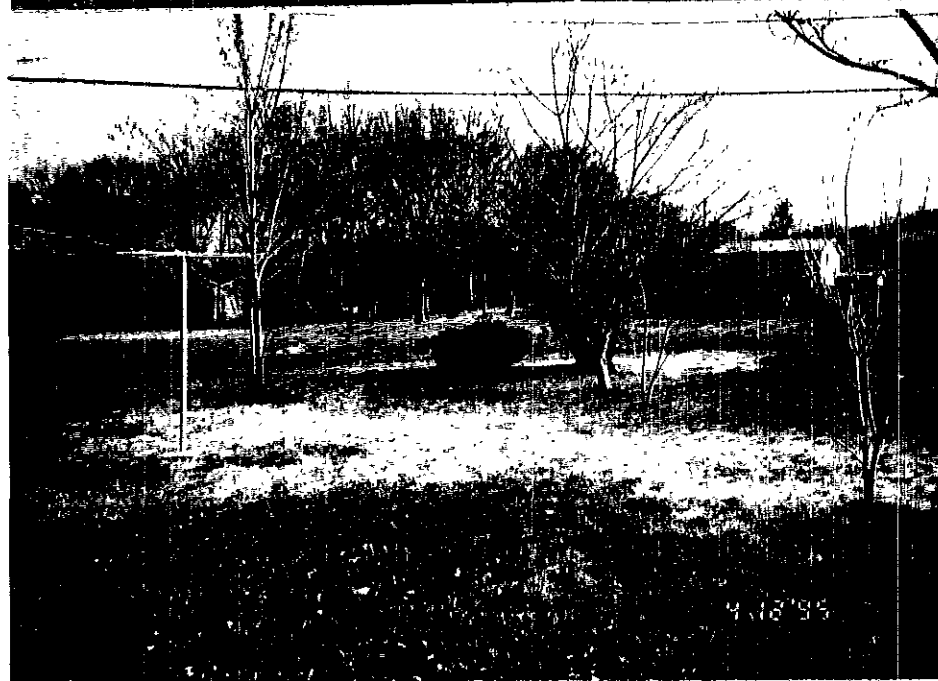
Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

95-~~357~~-A
400

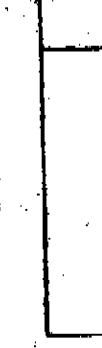


MICROFILMED

95-~~13717~~-A
400



100-100-100



95-400-A

398

ZONING map

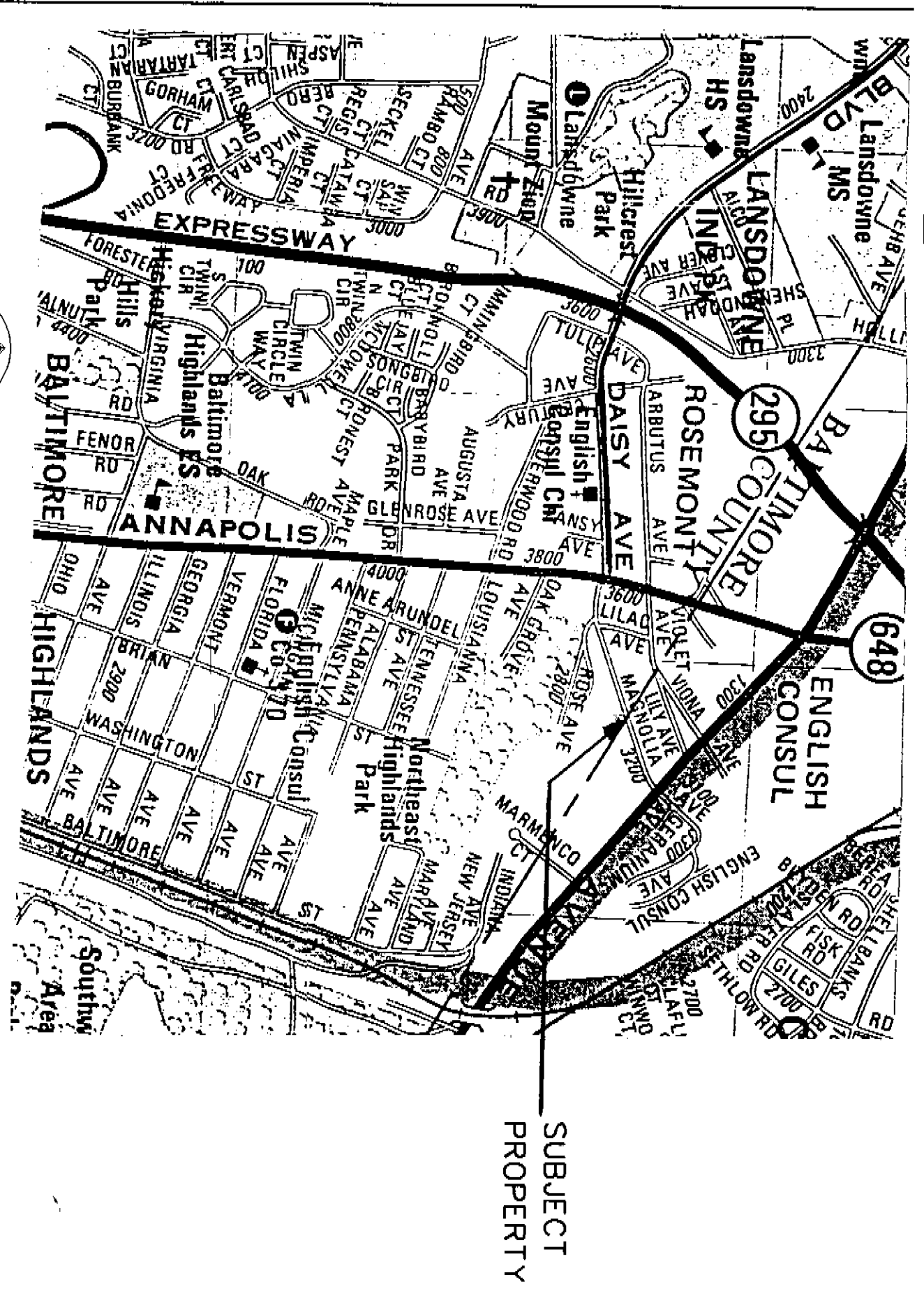
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3221 MAGNOLIA AVE.

Subdivision name: ENGLISH CONSUL ESTATES

plot book 3 folio 108 lot 798-800 section A

OWNER: RICHARD EDWARD PARKER JR.



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Councilmanic District: 12th
Election District: 13th
1" = 200' scale map: SW 5B
Zoning: D.R. 5.5
Lot size: 0.21 acreage
square feet 9375

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no
Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearing: NONE

95-400-A

Zoning Office USE ONLY!

reviewed by: ITEM#: CASE#:

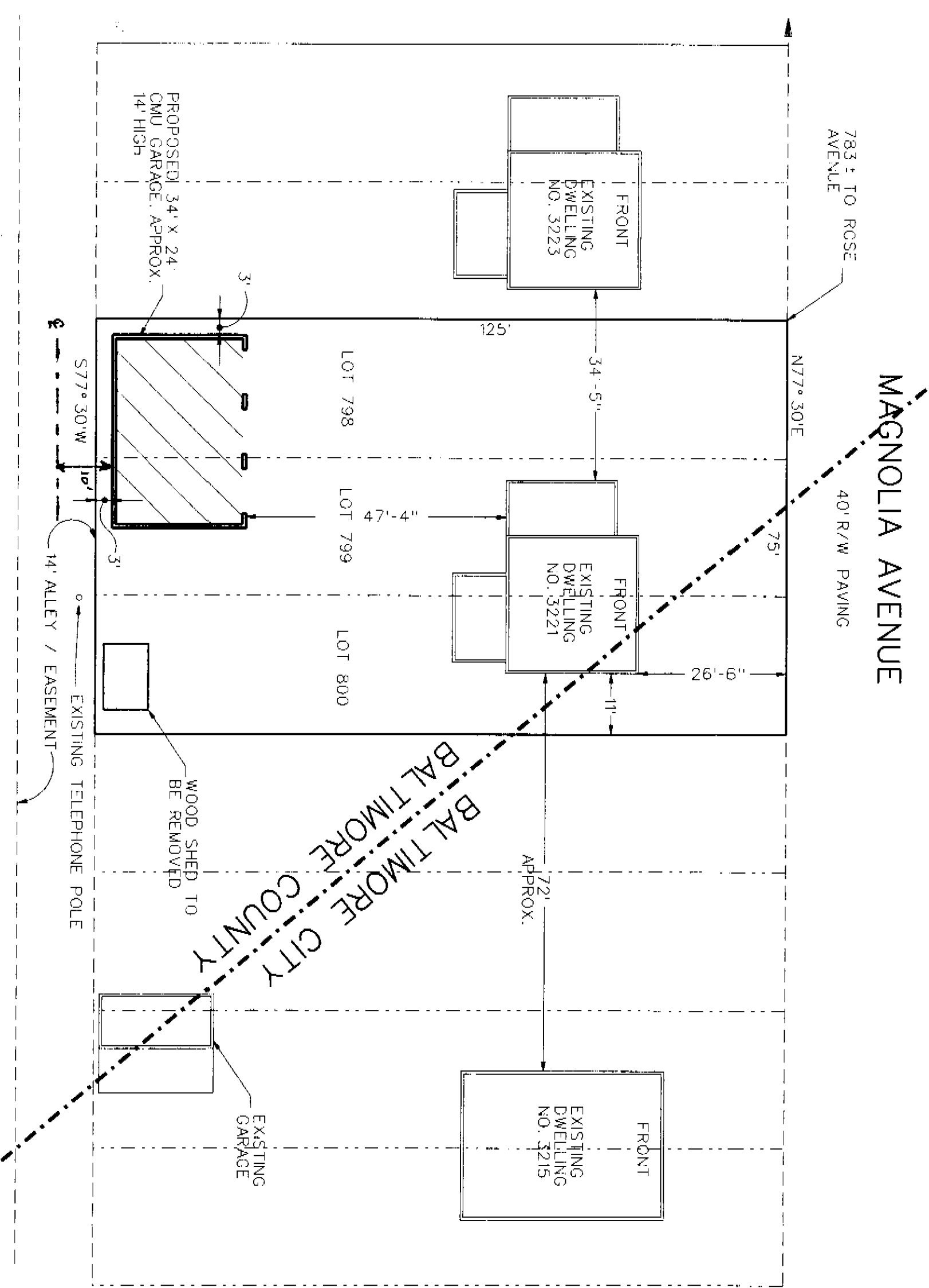


NORTH

date: APRIL 24, 1995

prepared by: RICHARD E. PARKER JR.

Scale of Drawing: 1" = 20'





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±

LOCATION LANS DOWNE

DATE OF PHOTOGRAPHY JANUARY 1986

S.W. 3 AB 5-B

MICROFILMED

95-400-A

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE
S/S Magnolia Avenue, 783 ft. W of 41st of Rose Avenue
3321 Magnolia Avenue
13th Election District
1st Councilmanic District
Richard E. Parker, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-400-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Richard E. Parker, Jr., for that property known as 3221 Magnolia Avenue in the English Consul Estates subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 400.2 of the Baltimore County Zoning Regulations (BCZR) to permit a garage to be located within 10 ft. of the centerline of an alley in lieu of the required 15 ft., as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of June, 1995 that the Petition for a Zoning Variance from Section 400.2 of the Baltimore County Zoning Regulations (BCZR) to permit a garage to be located within 10 ft. of the centerline of an alley in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. There shall be no commercial work performed within the garage or on the subject property at any time.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 6, 1995

Mr. Richard E. Parker, Jr.
3221 Magnolia Avenue
Baltimore, Maryland 21227

RE: Petition for Administrative Zoning Variance
Case No. 95-400-A
Property: 3221 Magnolia Avenue

Dear Mr. Parker:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3221 MAGNOLIA AVE.
which is presently zoned DR-6.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.2, 802.2 TO PERMIT A GARAGE TO BE LOCATED WITHIN 10' OF THE CENTERLINE OF AN ALLEY IN LIEU OF THE REQUIRED 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. SPACE BEHIND PROPOSED BUILDING WILL BE WASTED.
2. EXISTING ALLEY CAN'T BE ACCESSED FROM EITHER END.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode
Name, Address and phone number of a representative to be contacted
Name
Address
City State Zipcode
Phone No.

Legal Owner(s)
RICHARD E. PARKER JR.
Richard E. Parker Jr.
Richard E. Parker Jr.
3221 MAGNOLIA AVE
Baltimore, MD 21227
Phone No. (410) 887-4315
FAX (410) 789-6005
Name, Address and phone number of a representative to be contacted
Name
Address
City State Zipcode
Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered: to the Zoning Commissioner of Baltimore County, Baltimore, Maryland, that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: JCM DATE: 5-3-95
ESTIMATED POSTING DATE: 5-14-95
Printed with Soy-based Ink on Recycled Paper
ITEM # 398

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 3221 MAGNOLIA AVE.

DAVE
City MD 21227
By Case

This based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

1. I HAVE MAINTAINED THE AREA IN DISUSE FOR OVER 8 YEARS.
2. ACCORDING TO BUILDING REQUIREMENTS I WOULD HAVE TO LEAVE PROPOSED BUILDING 8' WITHIN MY PROPERTY. THIS WOULD LEAVE A WASTE OF SPACE BEHIND PROPOSED BUILDING. BY MOVING PROPOSED BUILDING TO 3' FROM PROPERTY LINE I WOULD BE ABLE TO MINIMIZE THE SPACE IN FRONT OF PROPOSED BUILDING.
3. THE EXISTING 14' ALLEY CAN'T BE ACCESSED FROM EITHER END BECAUSE OF PREVIOUS CONSTRUCTION.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard E. Parker Jr.
Richard E. PARKER JR.
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, it is 27th day of APRIL, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard E. Parker Jr.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief

AS WITNESS my hand and Notarial Seal.

27 APRIL 95

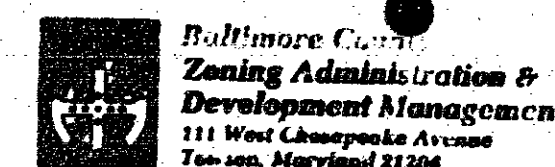
KARIN A. CHURCH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires August 11, 1997

ZONING DESCRIPTION FOR 3221 MAGNOLIA AVE.

Beginning at a point on the south side of Magnolia Ave. which is 40' wide at the distance of 783' west of the centerline of the nearest improved intersecting street Rose Ave. which is 40' wide. Being lot • 798-800, Block Section • A in the subdivision of English Consul Estates as recorded in Baltimore County Plat Book • 3, Folio • 108, containing 0.21 acres. Also known as 3221 Magnolia Ave. and located in the 13th Election District, 12th Councilmanic District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 13th Date of Posting 5/13/95
Posted for: Variance
Petitioner: Richard E. Parker Jr.
Location of property: 3221 Magnolia Ave. S/S
Location of Sign: Facing Rose Ave. on property line near 1st
Remarks:
Posted by: [Signature] Date of return: 5/14/95
Number of Signs: 1



5-3-95
Richard Parker Jr.
Admin Van (010) 50.00
Postage (090) 35.00
85.00

receipt

95-400-A

Number: JCM

3221 Magnolia Ave.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 398

Petitioner: Richard Parker Jr.

Location: 3221 MAGNOLIA AVE. BALD, MD. 21227

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: (410) 789-6005

AJ:998 (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-400-A (Item 398)
3321 Magnolia Avenue
8/8 Magnolia Avenue, 783' W of c/j Rose Avenue
13th Election District - 1st Comd/Manic
Legal Owner(s): Richard E. Parker, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 14, 1995. The closing date (May 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: Richard E. Parker, Jr.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 25, 1995

Mr. Richard E. Parker, Jr.
3221 Magnolia Avenue
Baltimore, Maryland 21227

RE: Item No.: 398
Case No.: 95-400-A
Petitioner: R. E. Parker Jr.

Dear Mr. Parker Jr.:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc., are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 16, 1995

SUBJECT: 3221 Magnolia Avenue

INFORMATION:

Item Number: 398

Petitioner: Parker Property

Property Size: _____

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The applicants request a variance to permit a garage to be located within 10' of the centerline of an alley in lieu of the required 15'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: *Delroy W. Long*

Division Chief: *Carol L. Kern*

PK/JL

ITEM398/PZONE/ZAC1

To: Joyce Watson
ZAC Comment

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 5/16/95

FROM: DEPRM

Development Coordination

SUBJECT: Zoning Advisory Committee

Agenda: 5/15/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 393
394
395
396
398
399
400

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396, 397, 398, 399 AND 400.

RECEIVED
MAY 18 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 398 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

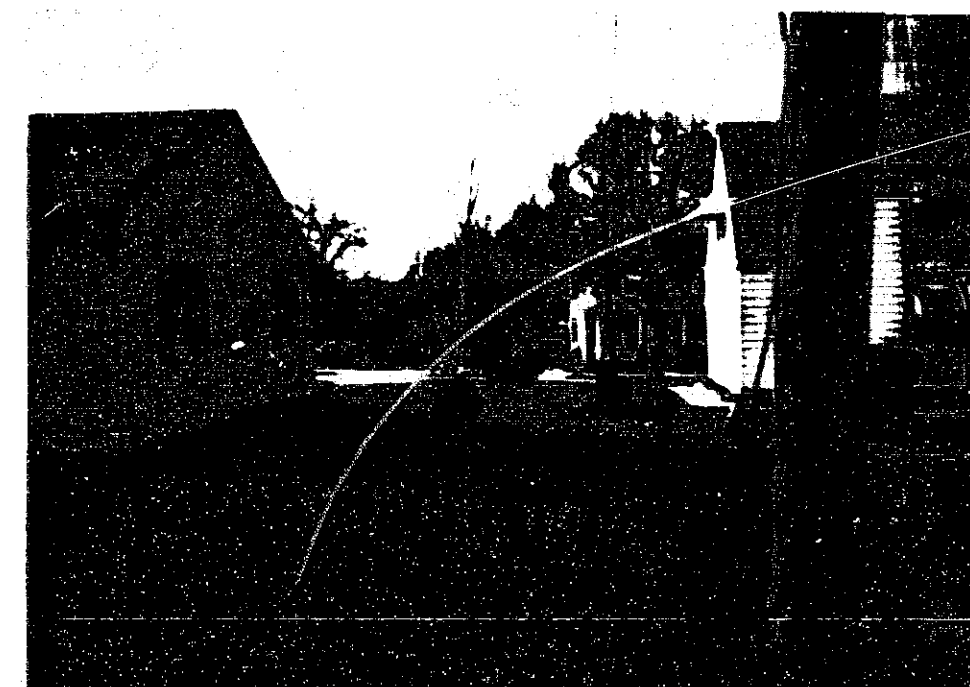
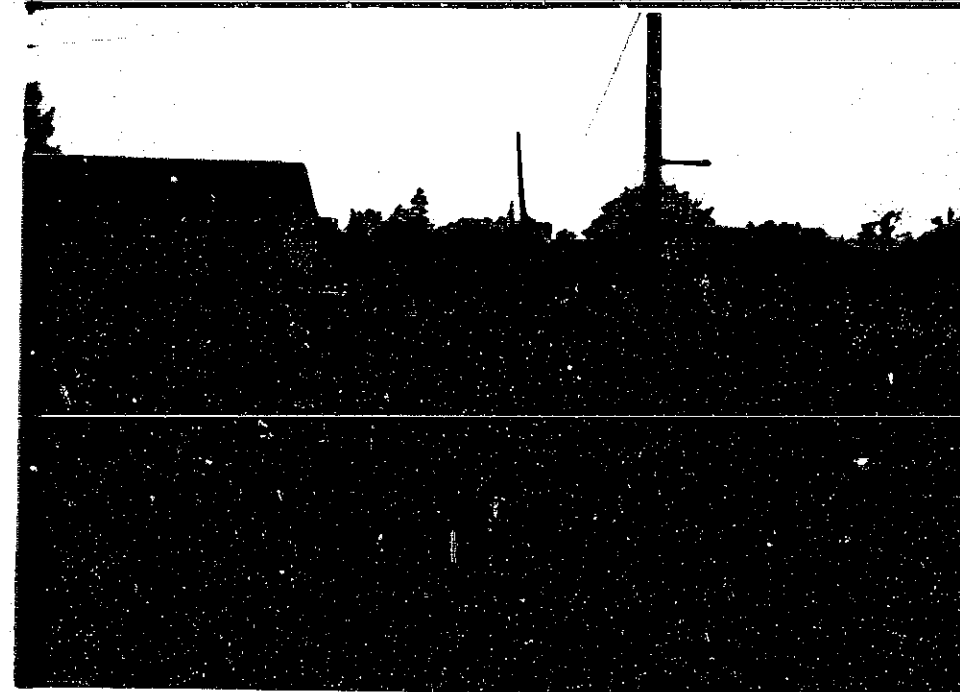
Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/



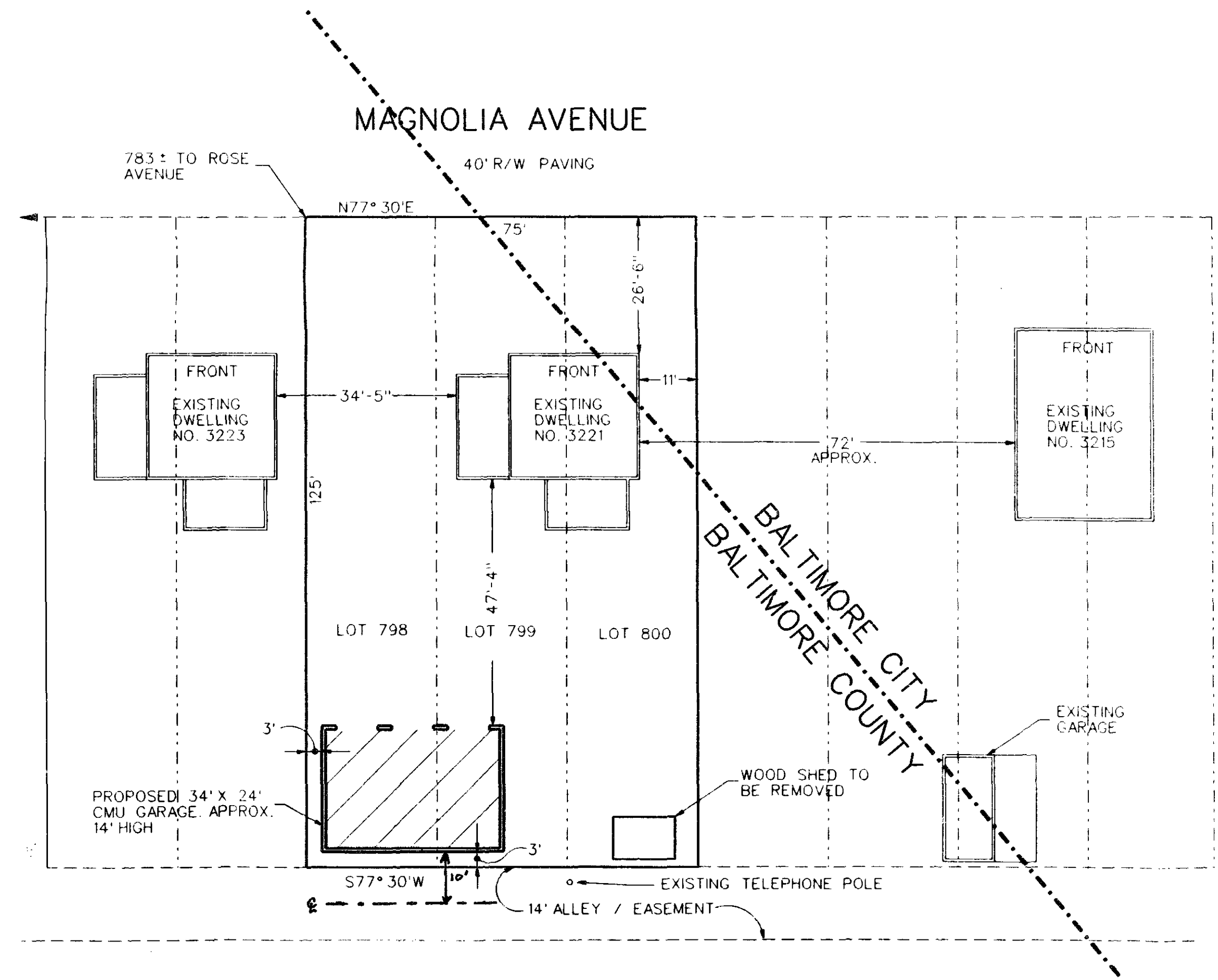
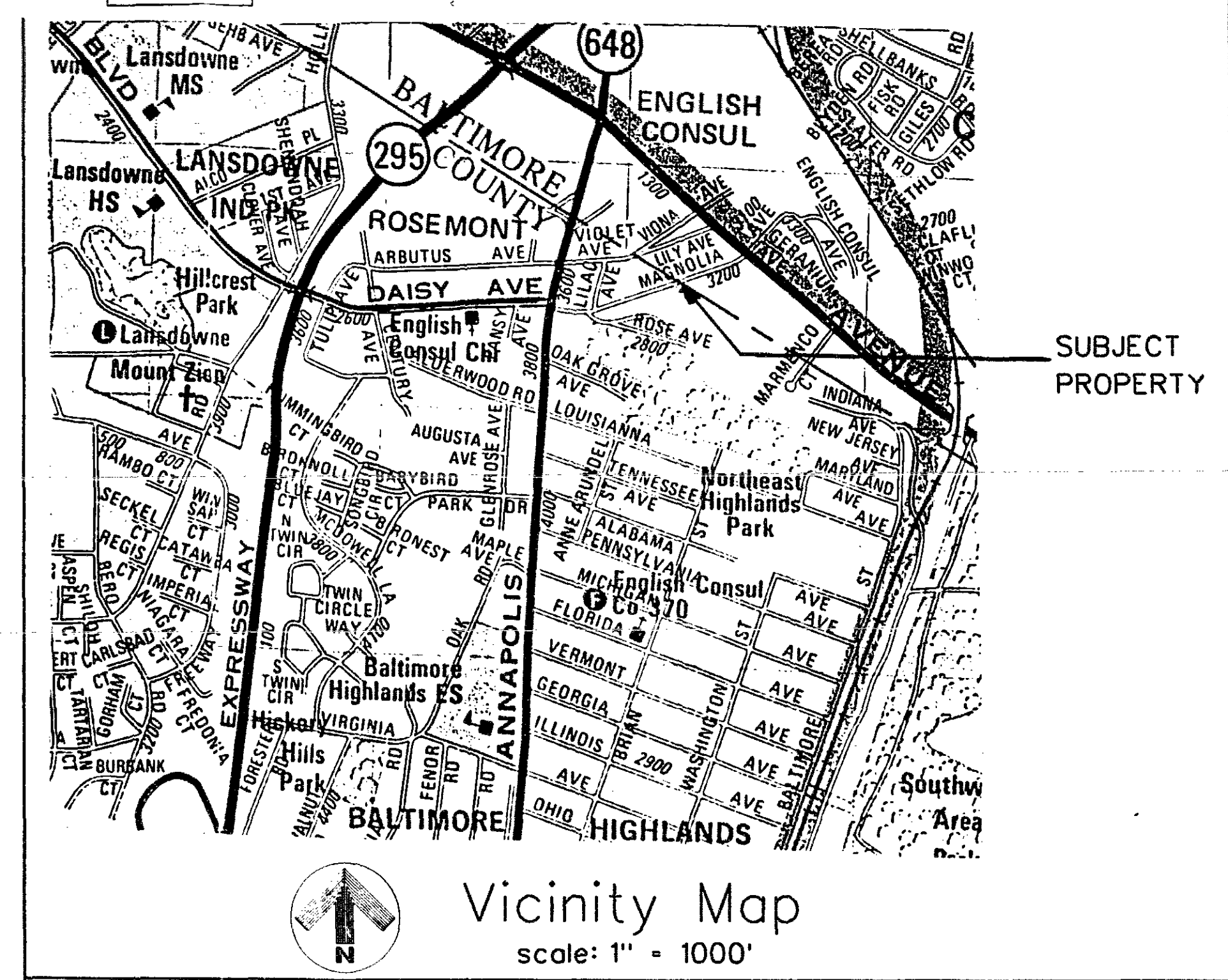
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3221 MAGNOLIA AVE.

Subdivision name: ENGLISH CONSUL ESTATES

plat book* 3 folio* 108 lot* 798-800 section* A

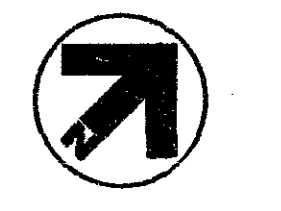
OWNER: RICHARD EDWARD PARKER JR.



LOCATION INFORMATION

Councilmanic District: 12th
Election District: 13th
1" = 200' scale map*: SW 5B
Zoning: D.R. 5.5
Lot size: 0.21 acreage 9375 square feet
public private
SEWER: ☒ ☐
WATER: ☒ ☐
yes no
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearing: NONE

95-400-A



NORTH

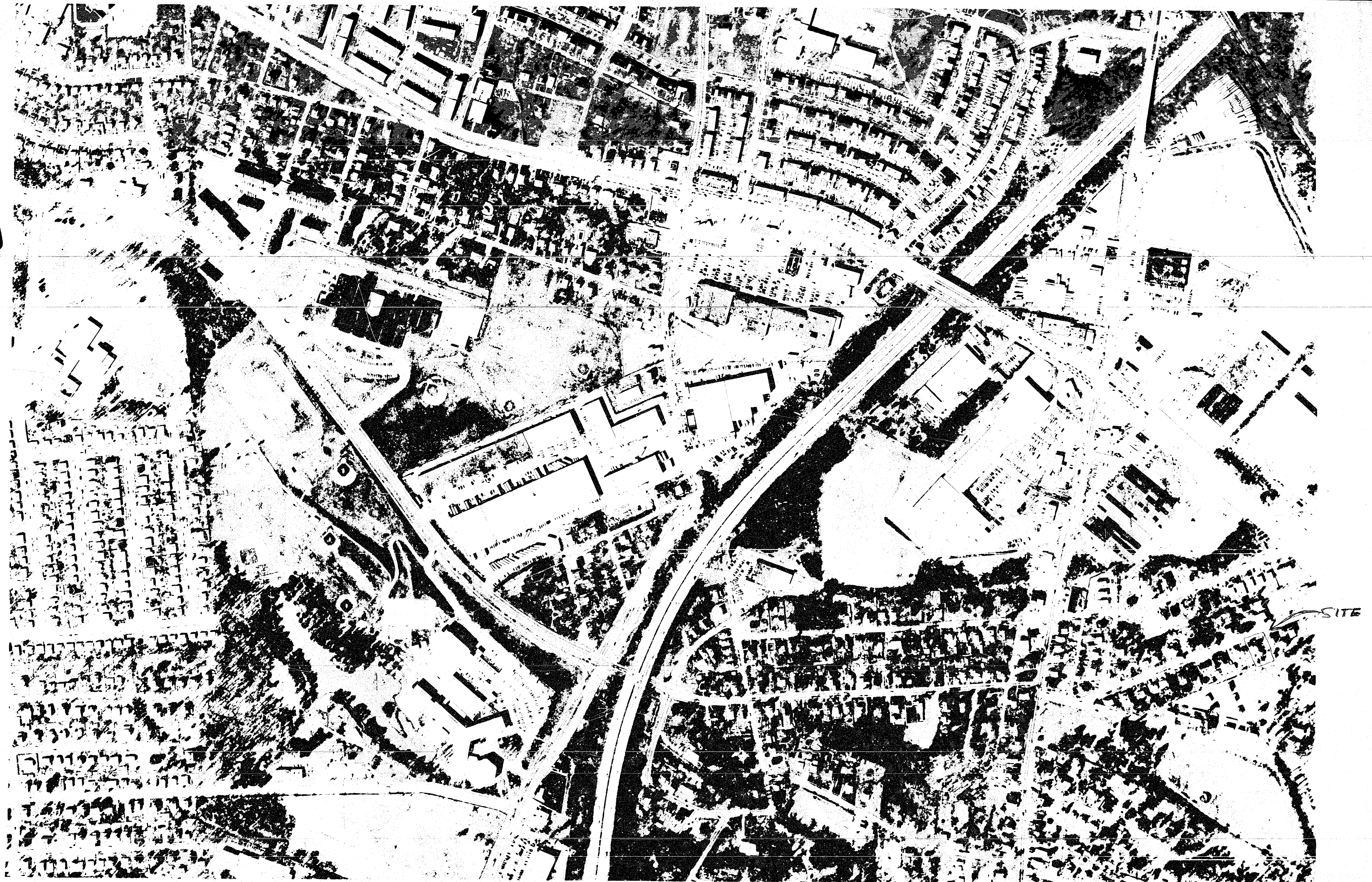
date: APRIL 24, 1995
prepared by: RICHARD E. PARKER JR.

Scale of Drawing: 1" = 20'

Zoning Office USE ONLY!

reviewed by: ITEM*: CASE*:

95-400-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LANS DOWNE

S.W.
5-B 398